



# Montgomery County Council

*From the Office of Councilmember Phil Andrews*

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**For Immediate Release**

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## **RESTAURANT REVENUES IN MONTGOMERY UP 7% SINCE SMOKING BAN**

### ***56 New Restaurant Applications; Andrews Intervenes in D.C. Smoking Referendum Appeal with Facts***

Restaurant revenues and sales tax receipts for Montgomery County restaurants have risen over 7 percent since the County's smoking ban took effect last October 9, according to Maryland state sales tax data released today by Councilmember Phil Andrews, the lead sponsor of the County's Smokefree Restaurant law.

The facts flatly refute claims by the Restaurant Association that business is down in County restaurants since passage of the measure that protects restaurant employees and customers alike from the well-documented dangers of second-hand smoke. In addition, 56 new restaurant applications have been received in the County since the law went into effect.

The state sales tax data shows that receipts increased by \$2 million for all Montgomery restaurants – from \$27.3 million between October 2002 to March 2003 to \$29.3 million between October 2003 and March 2004. Restaurant revenues increased by \$40 million over the same period.

"Since the Council passed the Smokefree Restaurant Law the air is much safer in County restaurants and the cash registers continue to ring," said Councilmember Andrews. "These figures show that diehard opponents who claim this measure hurts the restaurant industry are blowing smoke – and putting their own convenience before the public's health."

In connection with the release of the figures, Councilmember Andrews also filed an affidavit in support of an appeal of last month's ruling by Superior Court Judge Mary A. Terrell that denied District residents an opportunity to vote on smokefree restaurants.

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page two

In her ruling, the Judge concluded the law would have a negative fiscal impact on District revenues, citing unsubstantiated claims made by District councilmembers Harold Brazil and Carol Schwartz about supposed restaurant losses in Montgomery due to the smokefree law.

"The stage is now set for an appeals court to reverse that ruling," said Andrews, "since the Judge's ruling was clearly based on bad information. The experience in Montgomery County is the same as around the country: smokefree restaurant laws are good for the restaurant industry and for customers and employees who get to breathe clean air."

"Councilmembers Brazil and Schwartz and Big Tobacco are entitled to their own opinions – but not their own set of facts. Why not let this issue be decided democratically – at the ballot box in November?"

Seven states have enacted laws requiring smokefree restaurants: California, Florida, New York, Connecticut, Delaware, Maine, and Massachusetts. Internationally, Ireland banned smoking in all restaurants and pubs as of March 29.

In Maryland, Montgomery County has been joined by Talbot County and the cities of Gaithersburg, Rockville, and Takoma Park.

Andrews also sees these facts as useful in the effort to add Maryland to the roster of states that protect restaurant customers and employees from deadly second-hand smoke.

"According to a statewide poll conducted by Republican polling firm QEV Analytics last December, 67 percent of Marylanders favor prohibiting smoking in restaurants," said Andrews. "Seventy-eight percent of those polled said that the right of customers and employees to breathe clean air was more important than the right of smokers to smoke inside (15 percent). Thirty-four percent said they would eat out more often if all Maryland restaurants were smokefree, as opposed to only 9 percent who said less often and 53 percent who said they would eat out about the same."

"A smokefree restaurant bill failed to get out of a Senate committee by only one vote last year," said Andrews. "But Committee chair Senator Thomas Middleton pledged a bill would come out next year, saying that 'restaurant owners need to know the writing is on the wall.' The facts released today bolster our statewide efforts against the 'doom and gloom' predictions of Big Tobacco and their hired hands." # # #